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David W. Slayton,
Executive Officer/Clerk of Court,
By J. Jo-Fung, Deputy Clerk

6 Attorneys for Plaintiff
7 Ronda Sizemore

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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES**

11
12 RONDA SIZEMORE, individually and in
her capacity as administrator of the estate of
13 Jimmie Wayne Sizemore; AUSTIN
SIZEMORE, an individual; JIMMIE
14 TYLER SIZEMORE, a minor,

15 Plaintiffs,

16 v.

17 LEGACY HEALING CENTER
CALIFORNIA LLC, a Delaware limited
liability company; LEGACY HEALING
18 CENTER MARGATE, LLC, a Florida
limited liability company; BEN FOX, an
19 individual; MARC EFFRON, an individual;
ERIC CHAGHOURI, MD, an individual;
20 SHAZA HUMMEL, FNP-C, an individual;
GENESIS SCOTT, RN, an individual;
21 TYRELL TYLER, LVN, an individual; and
DOES 1 through 30, inclusive,

22 Defendants.
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Case No. **26NNOV02799**

COMPLAINT FOR:

- (1) **WRONGFUL DEATH SOUNDING
IN NEGLIGENCE**
- (2) **WRONGFUL DEATH SOUNDING
IN PROFESSIONAL NEGLIGENCE**
- (3) **SURVIVORSHIP**
- (4) **VIOLATION OF THE ELDER
ABUSE AND DEPENDENT ADULT
CIVIL PROTECTIVE ACT**
- (5) **NEGLIGENT HIRING,
RETENTION, AND SUPERVISION**
- (6) **UNFAIR COMPETITION**
- (7) **FALSE ADVERTISING**

JURY TRIAL DEMANDED

1 Ronda Sizemore, individually and in her capacity as administrator of the estate of Jimmie
2 Wayne Sizemore, together with Austin Sizemore and Jimmie Tyler Sizemore (collectively,
3 “Plaintiffs”) bring this action against Legacy Healing Center California LLC, Legacy Healing
4 Center Margate, LLC, Ben Fox, Marc Effron, Eric Chaghouri, MD, Shaza Hummel, FNP-C,
5 Genesis Scott, RN, Tyrell Tyler, LVN, and Does 1 through 30, inclusive (collectively,
6 “Defendants”) and allege as follows.

7 INTRODUCTION

8 1. Like millions of Americans, 47-year-old Jimmie Sizemore—a loving husband and
9 father of two children—struggled with substance use disorder. In September 2025, Jimmie took
10 the brave step of admitting himself to a detoxification facility to seek treatment. He did so after
11 coming to the realization that he needed professional help to stay sober.

12 2. The facility to which Jimmie chose to admit himself, Legacy Healing Center,
13 advertises heavily on the internet and on its website and touts itself as “luxury” facility where
14 client receive “24/7 supervision via our caring nurse techs, who ensure our client’s [sic] health and
15 safety during the detox process.”¹ In reliance on these representations—and with support from his
16 family—Jimmie admitted himself to Legacy’s detox treatment program in Los Angeles, California
17 on September 4, 2025.

18 3. Less than three days later, on the morning of September 7, 2025, Jimmie was found
19 dead in his bedroom at Legacy with bloody discharge oozing from his nose and mouth. Despite
20 orders that his vital signs be taken every four hours—and despite California law requiring detox
21 personnel to conduct visual checks at least every 30 minutes—no one from Legacy had seen
22 Jimmie for nine hours. In fact, according to a Legacy employee, Jimmie’s body was “stiff” at the
23 time it was finally discovered.

24 4. These facts, in addition to others set forth below, demonstrate a course of conduct
25 tantamount to a total failure by Legacy to provide care, medical or otherwise, to Jimmie during his
26 brief but fatal stay at the facility. Indeed, Jimmie’s stay at Legacy was characterized by a total
27 failure to protect Jimmie from obvious and foreseeable hazards.

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¹ See <https://home.legacyhealingla.com/>.

1 Plaintiffs are informed and believe and on that basis allege that Legacy California is a wholly
2 owned subsidiary of Legacy Margate.

3 13. Plaintiffs are informed and believe and on that basis allege that Defendant Ben Fox
4 (“Fox”) is, and at all times relevant to this complaint was, an individual residing in Palm Beach
5 County, Florida. Plaintiffs are informed and believe that Fox is an equity owner (either direct or
6 indirect) of Legacy and serves as its Chief Executive Officer.

7 14. Plaintiffs are informed and believe and on that basis allege that Defendant Marc
8 Efron (“Efron”) is, and at all times relevant to this complaint was, an individual residing in Palm
9 Beach County, Florida. Plaintiffs are informed and believe that Marc Efron is an equity owner
10 (either direct or indirect) of Legacy and serves as its Manager.

11 15. Plaintiffs are informed and believe and on that basis allege that Legacy Margate,
12 Ben Fox and Marc Efron, as the beneficial owners of Legacy California, dominate, control,
13 manage, and operate Legacy California, that Legacy California carries none of the formalities
14 required of a limited liability company, that Legacy California is so inadequately capitalized and
15 underinsured that, when compared with the nature and risks inherent in operating an inpatient
16 detoxification facility, its capitalization is illusory, and that Legacy California is a mere
17 instrumentality and conduit to further the personal interests of Legacy Margate, Ben Fox, and
18 Marc Efron, to the detriment of Plaintiffs. As a result, there exists, and at all times mentioned
19 herein existed, a unity of interest and ownership among Legacy Margate, Ben Fox, Marc Efron,
20 and Legacy California such that the defendants have no genuine or separate existence. Plaintiffs
21 are further informed and believe that at all times relevant to this complaint, Legacy Margate, Ben
22 Fox and Marc Efron, and each of them, completely controlled, dominated, managed, and operated
23 Legacy California and intermingled their personal assets with the assets of Legacy California to
24 suit their convenience, such that the individuality or separateness of the defendants did not exist
25 and it would be unfair to Plaintiffs if the acts set forth in this complaint were treated as the those of
26 Legacy California alone.

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1 **THIRD CAUSE OF ACTION**

2 **Survivorship**

3 (Ronda Against All Defendants)

4 42. Plaintiffs repeat and reallege each and every allegation set forth in the foregoing
5 paragraphs of this complaint as though set forth fully herein.

6 43. Plaintiffs are informed and believe and on that basis allege that Decedent suffered
7 bodily injury and economic losses as a result of the wrongful conduct set forth herein. Had
8 Decedent survived, he would have personal claims for damages against Defendants, and each of
9 them.

10 44. This survival action is brought pursuant to Code of Civil Procedure section 377.20,
11 *et seq.*

12 **FOURTH CAUSE OF ACTION**

13 **Violation of the Elder Abuse and Dependent Adult Civil Protective Act**

14 (All Plaintiffs Against Legacy California, Legacy Margate, Fox, Effron, and Does 1 through 10)

15 45. Plaintiffs repeat and reallege each and every allegation set forth in the foregoing
16 paragraphs of this complaint as though set forth fully herein.

17 46. Legacy is a facility that provides, among other services, supervision, guidance,
18 oversight, and support to individuals seeking to maintain sobriety and reintegrate into society.
19 Legacy accepted custody of Decedent for detoxification. Decedent was a “dependent adult” as
20 defined by Welfare and Institutions Code section 15610.23. Legacy admitted Decedent for
21 inpatient treatment.

22 47. Substance use disorder is a disease that “affects a person’s brain and behavior and
23 leads to an inability to control the use of a legal or illegal drug or medicine,” despite harmful
24 consequences. (Drug Addiction (Substance Use Disorder)), Mayo Clinic
25 <<https://www.mayoclinic.org/diseases-conditions/drug-addiction/symptoms-causes/syc-20365112>
26 [as of Feb. 12, 2025].) More specifically, addiction is a chronic brain disease wherein addictive
27 behaviors “supplant healthy, self-care-related behaviors,” and, if left untreated, can lead to further
28 disability or premature death. (Public Policy Statement: Definition of Addiction, American Society

1 of Addiction Medicine (2011), p. 1 (“ASAM”).) Addiction is more than a behavioral disorder. It
2 affects a person’s cognition, emotions, relationships, and ability to function in daily life. Simply
3 put, substance use disorder is not a function of choice, and it impacts nearly every moment of an
4 afflicted person’s life.

5 48. Legacy, having assumed the caretaking and custodial care of Decedent, and as a
6 part of that custodial care, agreed to and assumed the duty of supplying the regulation that
7 Decedent could not provide for himself, to vigilantly provide care and supervision for Decedent’s
8 health and sobriety, and to protect Decedent from safety hazards.

9 49. As described above, Legacy breached this duty by failing to protect Decedent from
10 health and safety hazards.

11 50. Legacy’s actions set forth above constitute “neglect” and “recklessness” within the
12 meaning of Welfare and Institutions Code section 15610.57 and the Elder Abuse and Dependent
13 Adult Civil Protective Act and constitute either a deliberate disregard of the high degree of
14 probability that an injury would occur, or a conscious choice as to a course of action with
15 knowledge of the serious danger involved in such action.

16 51. As a direct result of the conduct alleged herein, Decedent died, and Plaintiffs were
17 harmed in an amount to be proven at trial.

18 52. Legacy’s conduct was malicious, oppressive, and demonstrated a reckless disregard
19 of the rights of Plaintiffs and Decedent. This conduct entitles Plaintiffs to recover from Legacy
20 punitive damages sufficient to punish it and to deter similar conduct in the future.

21 **FIFTH CAUSE OF ACTION**

22 **Negligent Hiring, Retention, and Supervision**

23 (All Plaintiffs Against Legacy California, Legacy Margate, Fox, Efron, and Does 1 through 10)

24 53. Plaintiffs repeat and realleges each and every allegation set forth in the foregoing
25 paragraphs of this complaint as though set forth fully herein.

26 54. Plaintiffs are informed and believe and on that basis allege that Legacy negligently
27 hired, trained, and supervised their staff responsible for monitoring residents at the detoxification
28 facility.

- 1 iv. California Code of Regulations, Title 9, Division 4, Chapter 5,
- 2 Section 10569, governing “Personal Rights”;
- 3 v. DHCS Alcohol and/or Other Drug Program Certification Standards
- 4 11000, governing “Detoxification Services”;
- 5 vi. DHCS Alcohol and/or Other Drug Program Certification Standards
- 6 11030, governing “Residential Detoxification Practices”;
- 7 vii. DHCS Alcohol and/or Other Drug Program Certification Standards
- 8 12000, governing “Program Administration”;
- 9 viii. DHCS Alcohol and/or Other Drug Program Certification Standards
- 10 12020, governing “Client Files”; and
- 11 ix. DHCS Alcohol and/or Other Drug Program Certification Standards
- 12 16000, governing “Participant Rights.”

13 b. In addition to the loss of a beloved family member, Plaintiffs lost money as
14 a result of the unlawful conduct of the Advertising Defendants in the form of payments made to
15 Legacy for detoxification services, as well as burial, funeral, and related costs associated with
16 Jimmie’s death.

17 62. The Advertising Defendants violated the unfair prong of the UCL by making false
18 and misleading representations to Decedent and to Plaintiffs. The Advertising Defendants’
19 business practice of making false and misleading representations is immoral, unethical, oppressive,
20 and injurious to California consumers and businesses. The harm that these acts and practices cause
21 greatly outweighs any benefits associated with them. Plaintiffs and Decedent relied on the truth of
22 these representations in deciding to admit Decedent to Legacy. In addition to the loss of a beloved
23 family member, Plaintiff lost money as a result of this unlawful conduct in the form of payments
24 made to Defendants for detoxification services, as well as burial, funeral, and related costs associated
25 with Decedent’s passing.

26 63. The Advertising Defendants violated the fraudulent prong of the UCL because the
27 representations made to Decedent and Plaintiffs were likely to, and did in fact, mislead reasonable
28 consumers. Plaintiffs and Decedent relied on the truth of these representations in deciding to admit

1 Decedent to Legacy. In addition to the loss of a beloved family member, Plaintiffs lost money as a
2 result of this unlawful conduct in the form of payments made to Legacy for detoxification services,
3 as well as burial, funeral, and related costs associated with Decedent's death.

4 64. As a result of the unlawful and unfair business practices described above, Plaintiffs,
5 pursuant to California Business and Professions Code section 17203, are entitled to restitution and
6 disgorgement of all monies paid to Defendants and recovery of all burial, funeral, and related costs
7 associated with Decedent's death.

8 65. Plaintiff is further entitled to an order enjoining Defendants' business practice of
9 making false and misleading statements to California consumers.

10 **SEVENTH CAUSE OF ACTION**

11 **False Advertising**

12 (All Plaintiffs Against Legacy California, Legacy Margate, Fox, Effron, and Does 21 through 30)

13 66. Plaintiffs repeat and reallege each and every allegation set forth in the foregoing
14 paragraphs of this complaint as though set forth fully herein.

15 67. Business and Professions Code section 17500, *et seq.* (the "False Advertising Law"
16 or "FAL") prohibits inducing the public to enter any obligation through the dissemination of
17 information that is untrue or misleading which is known or should be known to be untrue or
18 misleading.

19 68. As alleged herein, the Advertising Defendants made false and misleading
20 representations to Plaintiffs and Decedent.

21 69. Plaintiffs and Decedent relied on the truth of these representations in deciding to
22 admit Decedent to Legacy. In addition to the loss of a beloved family member, Plaintiffs lost
23 money as a result of this unlawful conduct in the form of payments made to Defendants, as well as
24 burial, funeral, and related costs associated with Decedent's passing.

25 70. As a result of the unlawful and unfair business practices described above, Plaintiffs,
26 pursuant to California Business and Professions Code section 17203, are entitled to restitution and
27 disgorgement of all monies paid to Legacy and recovery of all burial, funeral, and related costs
28 associated with Decedent's death.

